

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of Garvin  
U. S. Serial No.: 08/135,046

Art Unit: 3201

Filing Date: 10/12/93

Inventor: Garvin

Examiner: Crane

Title: METHOD AND APPARATUS FOR TREATMENT OF  
BAGGED AND ORGANIC MATERIALS

421 High Street, Suite 220  
Oregon City, OR 97045  
December 18, 1997

Assistant Commissioner for Patents  
Box BOARD OF PATENT APPEALS AND INTERFERENCES  
Washington, D.C. 20231

STATUS INQUIRY AFTER FILING APPELLANT'S BRIEF

The '046 application identified above is parent to petitioner's application in Interference No. 103604. An Appeal of the present application was filed 9/16/96 followed by applicant's Appeal Brief dated 10/7/96. This case has since been held in the Board of Patent Interferences due to its relationship to the application in interference.

In the '046 application, the claims have no element corresponding to the reel means or pipe support means which element is present in every claim involved in the interference and has been established as an essential element to the allowability of the interference claims.

It is petitioner's position (as argued in his Appeal Brief)

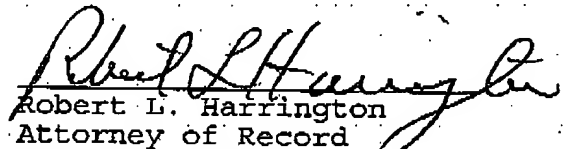
that the claims of the parent case, not containing an essential element of the Cullen claims, do not qualify for an interference with Cullen and should be allowed to go forward before the Board of Appeals.

5

Release of this patent application for prosecution before the Board of Appeals is respectfully requested.

Respectfully submitted,

10

  
Robert L. Harrington  
Attorney of Record  
Reg. No. 20,994

15

CERTIFICATE OF MAILING


20

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service as First Class Mail, in an envelope addressed as indicated above, on the date indicated below.

25

Date

12-18-97

  
Patsy R. Frye, Offices of  
Robert L. Harrington  
Attorney of Record  
Reg. No. 20,994

30

2

EXHIBIT D

Page 2

App'n. No. 08/135,046